

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA  
PHILADELPHIA DIVISION

In re: )  
ALEXIS S. LOKEY )  
Debtor(s) ) CHAPTER 13  
 )  
AMERICREDIT FINANCIAL SERVICES, ) Case No.: 15-15581 (JKF)  
INC. dba GM FINANCIAL )  
Moving Party )  
 ) 11 U.S.C. 362  
v. )  
 )  
ALEXIS S. LOKEY )  
Respondent(s) )  
 )  
FREDERICK L. REIGLE )  
Trustee )  
 )  
 )

**CERTIFICATION OF DEFAULT BY DEBTOR IN VIOLATION OF STIPULATION  
APPROVED ON MARCH 24, 2016 AND REQUEST FOR EX PARTE RELIEF FROM  
THE AUTOMATIC STAY**

Comes AmeriCredit Financial Services, Inc. dba GM Financial (“GM Financial”) filing this Certification of Default and ex parte request for relief from the automatic stay and hereby certifies;

1. That on March 24, 2016, the Court entered an Order approving a Stipulation providing for an arrearage cure, monthly payments to GM Financial, and for relief from the automatic stay under certain circumstances.
2. Paragraph three (3) of the Stipulation provides that the Debtor is to cure arrears by making her regular monthly payment of \$384.25 plus an additional \$438.58 (total payment of \$822.83) per month for the months of March 2016 through August 2016 (6 month cure) directly to GM Financial.
3. Paragraph four (4) of the Stipulation provides that commencing March 2016, if the Debtor fails to make any payment to GM Financial within thirty (30) days after it falls due, GM Financial may send, via facsimile and regular mail, the Debtor and counsel a written notice of default of the Stipulation. If the default is not cured within ten (10) days of the date of the notice, counsel may file a Certification of Default with the Court and serve it on all interested parties, and the Court shall enter an Order granting relief from the automatic stay.

4. In violation of the Stipulation, the Debtor's account with GM Financial has post-petition arrears through September 2017 in the amount of **\$1,598.80** (in addition, the payment of \$384.25 for October 2017 fell due on the 15<sup>th</sup> and remains unpaid).
5. On October 23, 2017, GM Financial served a 10 day default letter on the Debtor and her attorney in accordance with the terms of the Stipulation. To date, the default(s) have not been cured.
6. As a result of the defaults stated in paragraph four (4) of this Certification, GM Financial is entitled to stay relief a in regards to personal property described as a 2010 Chevrolet Malibu bearing vehicle identification number 1G1ZB5EB9AF204599.

Respectfully submitted:

/s/ William E. Craig  
William E. Craig  
Morton & Craig LLC  
110 Marter Avenue, Suite 301  
Moorestown, NJ 08057  
Phone 856/866-0100, Fax: 856/722-1554  
Bar ID 92329  
Local Counsel for AmeriCredit Financial Services, Inc.  
dba GM Financial

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\_\_\_\_\_  
)

**ORDER VACATING THE AUTOMATIC STAY**  
**AS TO PERSONAL PROPERTY**

Upon the Certificate Of Default filed by AmeriCredit Financial Services, Inc. dba GM Financial, under Bankruptcy Code section 362(d) for relief from the automatic stay as to certain personal property as hereinafter set forth, and for good cause shown;

ORDERED that the automatic stay of the Bankruptcy Code section 362(a) is vacated ~~pursuant to the authority granted in Federal Bankruptcy Rule 4001(a)(3)~~ to permit the movant to pursue the movant's rights in the personal property described as a **2010 Chevrolet Malibu** bearing vehicle identification number 1G1ZB5EB9AF204599 ~~to the extent and in the manner provided by any applicable contract and non-Bankruptcy law.~~ Bankruptcy Rule 4001(a)(3) is not applicable to this proceeding.

Date: November 13, 2017



UNITED STATES BANKRUPTCY JUDGE  
Jean K. FitzSimon

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IN RE: )  
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**CERTIFICATE OF SERVICE**

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WILLIAM E. CRAIG, attorney for AmeriCredit Financial Services, Inc. dba GM Financial hereby certifies as follows:

1. I am the attorney for GM Financial and am fully familiar with the facts of this case.
2. On November 6, 2017, I served by electronic means and by regular mail, a copy of the Certificate Of Default and proposed Order to the following individuals:

<u>Debtor</u>	<u>Debtor's Attorney</u>
Alexis S. Lokey 8523 Temple Road Philadelphia, PA 19150	Michael D. Sayles, Esq. Sayles and Associates 427 West Cheltenham Avenue Suite #2 Elkins Park, PA 19027-3201

<u>Office of the US Trustee</u>	<u>Trustee</u>
833 Chestnut Street Suite 500 Philadelphia, PA 19107	Frederick L. Reigle Chapter 13 Trustee 2901 St. Lawrence Ave. PO Box 4010 Reading, PA 19606

Date: 11/6/17

/s/ William E. Craig  
William E. Craig  
Morton & Craig LLC  
110 Marter Ave., Suite 301  
Moorestown, NJ 08057  
(856) 866-0100  
Bar I.D. 92329 - Pennsylvania